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OFFICE OF PETITIONS

In re Patent No: 7,096,566
Issue Date : August 29, 2006
Application No. 10/616,871
Filed: July 10, 2003
Patentee: DU et al.

ON PETITION

This is a decision on the petition under 37 CFR 1.181(a)(3), filed May 27, 2009, seeking the USPTO to reconsider the denial of a Request to Issue a Certificate of Correction (USPTO mistake) decided on March 6, 2009.

The petition is **GRANTED**.

Petitioner has shown that the Office erred in failing to delete Brandon L. Verbrugge, Joshua F. West, Michael R. Sell, David J. Smith, Earl M. Ortt, and Howard T. White as inventors in the above-identified application as a petition under 37 CFR 1.48(b), filed June 30, 2006, was improperly dismissed in the decision of July 27, 2006. Additionally, the request for reconsideration of the dismissal of the petition under 37 CFR 1.48(b) was never treated.

The instant file is being forwarded to Certificate of Corrections Branch for issuance of the Certificate of Correction, filed February 9, 2009, to now indicate that

Brandon L. Verbugge, Towson, MD (US)
Joshua F. West, Towson, MD (US)
Michael R. Sell, Bel air, MD (US)
David J. Smith, Glen Burnie, MD (US)
Earl M. Ortt, Bel Air, MD (US)
Howard T. White, Wittman, MD (US)

have been deleted as inventors.

As the error in the patent is not the fault of petitioner, no fees for the requested Certificate of Correction have been assessed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7099.

This application file is being forwarded to Certificate of Corrections branch.


David Bucci
Petitions Examiner
Office of Petitions